

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
SELENA STALEY, VIVIAN HOLMES, and OLIVE :  
IVEY, on behalf of themselves and all others similarly :  
situated, :  
:

Plaintiffs,

v.

FSR INTERNATIONAL HOTEL INC. d/b/a FOUR :  
SEASONS HOTELS AND RESORTS, HOTEL 57 :  
SERVICES, LLC, HOTEL 57, LLC, TY WARNER :  
HOTELS & RESORTS, LLC, and H. TY WARNER :  
:

Defendants.  
----- X

Case No.: 22-CV-6781 (JSR)

**DECLARATION OF  
JAMES J. BOLAND**

I, James J. Boland, pursuant to 28 U.S.C. § 1746, state and declare as follows:

1. I am a partner with the law firm of Smith Gambrell & Russell, LLP. I am counsel for defendants in the above-captioned lawsuit. I am submitting this declaration in support of Defendants Joint Opposition to Plaintiffs' Motion for Class Certification. I have personal knowledge of the matters set forth in this declaration.

2. Attached to this declaration as Exhibit A is a true and correct copy of the deposition transcript of Cathy Hwang and errata/signature pages, taken in the above-captioned lawsuit on April 14, 2023.

3. Attached to this declaration as Exhibit B is a true and correct copy of the deposition transcript of Elizabeth Ortiz and errata/signature pages, taken in the above-captioned lawsuit on April 3, 2023.

4. Attached to this declaration as Exhibit C is a true and correct copy of the deposition transcript of Selena Staley, taken in the above-captioned lawsuit on April 11, 2023. No errata or signature pages were provided by Ms. Staley or Plaintiffs' counsel.

5. Attached to this declaration as Exhibit D is a true and correct copy of the deposition transcript of Vivian Holmes, taken in the above-captioned lawsuit on March 10, 2023. No errata or signature pages were provided by Ms. Holmes or Plaintiffs' counsel.

6. Attached to this declaration as Exhibit E is a true and correct copy of the deposition transcript of Oliver Ivey, taken in the above-captioned lawsuit on March 1, 2023. No errata or signature pages were provided by Ms. Ivey or Plaintiffs' counsel.

7. Attached to this declaration are a true and correct copies of the following document produced by Plaintiffs, identified by the exhibit numbers assigned to them in Plaintiffs' depositions (attached as Exhibits C-E):

Exhibit 29, Staley v FSR001-281

Exhibit 30, Staley v FSR0281

Exhibit 31, Staley v FSR0279

Exhibit 32, Staley v FSR0028

Exhibit 33, Staley v FSR0204 - Staley v FSR0207

Exhibit 34, Staley v FSR0054

Exhibit 35, Staley v FSR0086

Exhibit 36, Staley v FSR0055

Exhibit 37, Staley v FSR0056

Exhibit 38, Staley v FSR0017 - Staley v FSR0018

Exhibit 39, Staley v FSR0002

Exhibit 40, Staley v FSR0016

Exhibit 41, Staley v FSR0057

Exhibit 42, Staley v FSR0088 - Staley v FSR0089

Exhibit 43, Staley v FSR0221

Exhibit 44, Staley v FSR0058

Exhibit 45, Staley v FSR0001

Exhibit 46, Staley v FSR0059

Exhibit 47, Staley v FSR0213

Exhibit 48, Staley v FSR0060

Exhibit 49, Staley v FSR0069 - Staley v FSR0080

Exhibit 50, Staley v FSR0061

Exhibit 51, Staley v FSR0082 - Staley v FSR0085

Exhibit 52, Staley v FSR0062 - Staley v FSR0064

Exhibit 53, Staley v FSR0050 - Staley v FSR0051

Exhibit 54, Staley v FSR0020 - Staley v FSR0021

Exhibit 55, Staley v FSR0027

Exhibit 56, Staley v FSR0032

Exhibit 60, Staley v FSR0090 - Staley v FSR0167

Exhibit 62, Staley v FSR0102 - Staley v FSR0103

Exhibit 63, Staley v FSR0245 - Staley v FSR0246

Exhibit 65, Staley v FSR0254

Exhibit 73, Staley v FSR0212

Exhibit 74, Staley v FSR0204 - Staley v FSR0207

Exhibit 75, Staley v FSR0208

Exhibit 76, Staley v FSR0219

Exhibit 77, Staley v FSR0216

Exhibit 78, Staley v FSR0214

Exhibit 79, Staley v FSR0221

Exhibit 80, Staley v FSR0211

Exhibit 81, Staley v FSR0218

Exhibit 82, Staley v FSR0222

Exhibit 83, Staley v FSR0188 - Staley v FSR0197

Exhibit 84, Staley v FSR0224 - Staley v FSR0234

Exhibit 85, Staley v FSR0168 - Staley v FSR0202

Exhibit 86, Staley v FSR0237 - Staley v FSR0238

Exhibit 87, Staley v FSR0239 - Staley v FSR0240

Exhibit 88, Staley v FSR0241 - Staley v FSR0244

8. Also attached to this declaration are true and correct copies of the following documents marked as exhibits and identified at one or more of the Plaintiffs' depositions (attached as Exhibits C-E and, if cited in Defendants' Joint Opposition, at the page and line numbers cited):

Exhibit 4, printout of LinkedIn profile of Vivian Holmes

Exhibit 5, Complaint (Dkt. 1)

Exhibit 6, First Amended Complaint (Dkt. 48)

Exhibit 7, Notice of Motion, Motion and Memorandum of Law (Dkt. 27, 31)

Exhibit 8, Declaration of Cathy Hwang and exhibits (Dkt. 30 - 30-4)

Exhibit 9, Memorandum of Law (Dkt. 44)

Exhibit 10, Declaration of Evan Brustein and exhibits (Dkt. 43 – 43-3)

Exhibit 11, Reply Memorandum of Law (Dkt. 46)

Exhibit 12, Notice of Motion, Memorandum of Law (Dkt. 28, 41)

Exhibit 13, Declaration of Elizabeth Ortiz and exhibits (Dkt. 40 – 40-7)

Exhibit 14, Notice of Motion, Memorandum of Law (Dkt. 50, 53)

Exhibit 15, Declaration of Elizabeth Ortiz and exhibits (Dkt. 52 – 52-7)

Exhibit 16, Memorandum of Law (Dkt. 57)

Exhibit 17, Declaration of Evan Brustein and exhibits (Dkt. 56 – 56-3)

Exhibit 18, Declaration of Vivian Holmes (Dkt. 55)

Exhibit 19, Reply Memorandum of Law (Dkt. 58)

Exhibit 20, Plaintiffs' Rule 26(A)(1)(a) Initial Disclosures

Exhibit 21, Plaintiffs' First Supplemental Disclosures

Exhibit 22, March 29, 2023 letter (unsigned)

Exhibit 24, Defendants' First Demand for Production of Documents

Exhibit 25, Plaintiffs Responses and Objections to Defendants First Request for Production of Documents

Exhibit 26, Defendants' First Set of Interrogatories

Exhibit 27, Plaintiffs Responses and Objections to Warner Defendants First Set of Interrogatories

Exhibit 28, February 24, 2023 letter (unsigned)

Exhibit 57, Declaration of Vivian Holmes

Exhibit 58, U.S. EmPact Employee Handbook, last revised February 1, 2018 (also attached to Dkt. 43 as 43-1,)

Exhibit 59, Verification (Olive Ivey)

Exhibit 61, WARNERDEF\_000098 – WARNERDEF\_000101

Exhibit 64, WARNERDEF 000152

Exhibit 66, WARNERDEF\_000651 – WARNERDEF\_000653

Exhibit 67, WARNERDEF\_000150

Exhibit 68, WARNERDEF 000084 – WARNERDEF 000085

Exhibit 69, WARNERDEF 000083

Exhibit 70, WARNERDEF\_000008

Exhibit 72, printout of LinkedIn profile of Selena Staley

Exhibit 89, Verification (Selena Staley)

9. I declare under the penalty of perjury that the foregoing is true and correct.

Dated: May 30, 2024

By:   
James J. Boland